

CHAPMAN, POPIK & WHITE, LLP
 Renee C. Callantine, State Bar No. 155991
 Jonathan Gregory, State Bar No. 215003
 650 California Street, 19th Floor
 San Francisco, CA 94108
 Telephone: (415) 352-3000
 Facsimile: (415) 352-3030

Attorneys for Defendant
 DISCOVER PROPERTY & CASUALTY
 INSURANCE COMPANY

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

FIREMAN'S FUND INSURANCE
 COMPANY,

Plaintiff,

v.

DISCOVER PROPERTY & CASUALTY
 INSURANCE COMPANY,

Defendant.

Case No. 3:08-cv-03079-WHA

**STIPULATION AND PROPOSED
 ORDER EXTENDING MEDIATION
 DEADLINE**

Hon. William H. Alsup

The parties, through their counsel of record, agree and stipulate as follows:

1. The appointed mediator in this matter, Charles R. Ragan, has agreed that mediation should be conducted after the hearing on the parties' cross-motions for summary judgment.
2. The parties requested and recently received another extension on the deadline to file their cross-motions for summary judgment and the hearing has been rescheduled to August 20, 2009. Consequently, the parties need a further extension on the deadline to complete mediation.

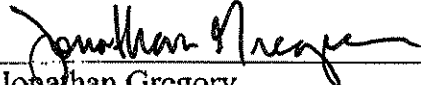
///

///

3. Copies of this proposed stipulation and order have been emailed to the mediator
(cragan@rdrw.com) as well as the ADR Case Administrator (Claudia_forehand
@cand.uscourts.gov).


Dated: July 2, 2009

CHAPMAN POPIK & WHITE LLP

By: 
Jonathan Gregory
Attorneys for Defendant Discover Property
and Casualty Insurance Co.

Dated: July 2, 2009

KENNEY & MARKOWITZ LLP

By: 
David Gordon
Attorneys for Plaintiff Fireman's Fund
Insurance Company

ORDER

Pursuant to the stipulation above, the mediation deadline is extended to August 31, 2009.

DATED: August 3, 2009

The Honorable _____

